



General Assembly

January Session, 2005

Amendment

LCO No. 8090

HB0690608090HDO

Offered by:

REP. FONTANA, 87th Dist.
SEN. FONFARA, 1st Dist.
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To: Subst. House Bill No. 6906

File No. 220

Cal. No. 212

"AN ACT CONCERNING ENERGY INDEPENDENCE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 16-1 of the general statutes is
4 amended by adding subdivisions (42) to (44), inclusive, as follows
5 (*Effective from passage*):

6 (NEW) (42) "Combined heat and power system" means a system
7 that produces, from a single source, both electric power and thermal
8 energy used in any process that results in an aggregate reduction in
9 electricity use;

10 (NEW) (43) "Grid-side distributed resources" means the generation
11 of electricity from a unit with a rating of not more than sixty-five

12 megawatts that is connected to the transmission or distribution system,
13 which units may include, but are not limited to, units used primarily to
14 generate electricity to meet peak demand; and

15 (NEW) (44) "Class III renewable energy source" means the electricity
16 output from combined heat and power systems with an operating
17 efficiency level of no less than fifty per cent that are part of customer-
18 side distributed resources developed at commercial and industrial
19 facilities in this state on or after January 1, 2006, or the electricity
20 savings created at commercial and industrial facilities in this state from
21 conservation and load management programs begun on or after
22 January 1, 2006.

23 Sec. 2. Subdivisions (40) and (41) of subsection (a) of section 16-1 of
24 the general statutes are repealed and the following is substituted in
25 lieu thereof (*Effective from passage*):

26 (40) ["Distributed generation"] "Customer-side distributed
27 resources" means (A) the generation of electricity from a unit with a
28 rating of not more than sixty-five megawatts on the premises of [an] a
29 retail end user within the transmission and distribution system
30 including, but not limited to, fuel cells, photovoltaic systems or small
31 wind turbines, or (B) a reduction in the demand for electricity on the
32 premises of a retail end user in the distribution system through
33 methods of conservation and load management, including, but not
34 limited to, peak reduction systems and demand response systems;
35 [and]

36 (41) "Federally mandated congestion [costs] charges" means any cost
37 approved by the Federal Energy Regulatory Commission as part of
38 New England Standard Market Design including, but not limited to,
39 locational marginal pricing, locational installed capacity payments, any
40 cost approved by the Department of Public Utility Control to reduce
41 federally mandated congestion charges in accordance with this section,
42 sections 16-19ss, 16-32f, 16-50i, 16-50k, 16-50x, 16-244c, 16-244e, 16-
43 245m and 16-245n, as amended by this act, and sections 8 to 17,

44 inclusive, and 20 and 21 of this act and reliability must run contracts.

45 Sec. 3. Subsection (d) of section 16-19ss of the general statutes is
46 repealed and the following is substituted in lieu thereof (*Effective from*
47 *passage*):

48 (d) Nothing in this section shall be construed to allow an electric
49 distribution company to own, operate, lease or control any facility or
50 asset that generates electricity, or retain any interest in such facility or
51 asset as part of any transaction concluded pursuant to this section,
52 except as provided in subsection (e) of section 16-244e, as amended by
53 this act, and section 12 of this act.

54 Sec. 4. Subdivision (6) of subsection (a) of section 16-244e of the
55 general statutes is repealed and the following is substituted in lieu
56 thereof (*Effective from passage*):

57 (6) Once unbundling is completed to the satisfaction of the
58 department and consistent with the provisions of section 16-244, (A)
59 any corporate affiliate or separate division that provides electric
60 generation services as a result of unbundling pursuant to this
61 subsection shall be considered a generation entity or affiliate of the
62 electric company, and the division or corporate affiliate of the electric
63 company that provides transmission and distribution services shall be
64 considered an electric distribution company, and (B) an electric
65 distribution company shall not own or operate generation assets,
66 except as provided in subsection (e) of section 16-244e, as amended by
67 this act, and section 12 of this act.

68 Sec. 5. Section 16-245m of the general statutes is repealed and the
69 following is substituted in lieu thereof (*Effective from passage*):

70 (a) (1) On and after January 1, 2000, the Department of Public Utility
71 Control shall assess or cause to be assessed a charge of three mills per
72 kilowatt hour of electricity sold to each end use customer of an electric
73 distribution company to be used to implement the program as
74 provided in this section for conservation and load management

75 programs but not for the amortization of costs incurred prior to July 1,
76 1997, for such conservation and load management programs.

77 (2) Notwithstanding the provisions of this section, receipts from
78 such charge shall be disbursed to the resources of the General Fund
79 during the period from July 1, 2003, to June 30, 2005, unless the
80 department shall, on or before October 30, 2003, issue a financing order
81 for each affected electric distribution company in accordance with
82 sections 16-245e to 16-245k, inclusive, to sustain funding of
83 conservation and load management programs by substituting an
84 equivalent amount, as determined by the department in such financing
85 order, of proceeds of rate reduction bonds for disbursement to the
86 resources of the General Fund during the period from July 1, 2003, to
87 June 30, 2005. The department may authorize in such financing order
88 the issuance of rate reduction bonds that substitute for disbursement to
89 the General Fund for receipts of both the charge under this subsection
90 and under subsection (b) of section 16-245n, as amended by this act,
91 and also may, in its discretion, authorize the issuance of rate reduction
92 bonds under this subsection and subsection (b) of section 16-245n, as
93 amended by this act, that relate to more than one electric distribution
94 company. The department shall, in such financing order or other
95 appropriate order, offset any increase in the competitive transition
96 assessment necessary to pay principal, premium, if any, interest and
97 expenses of the issuance of such rate reduction bonds by making an
98 equivalent reduction to the charge imposed under this subsection,
99 provided any failure to offset all or any portion of such increase in the
100 competitive transition assessment shall not affect the need to
101 implement the full amount of such increase as required by this
102 subsection and by sections 16-245e to 16-245k, inclusive. Such
103 financing order shall also provide if the rate reduction bonds are not
104 issued, any unrecovered funds expended and committed by the
105 electric distribution companies for conservation and load management
106 programs, provided such expenditures were approved by the
107 department after August 20, 2003, and prior to the date of
108 determination that the rate reduction bonds cannot be issued, shall be

109 recovered by the companies from their respective competitive
110 transition assessment or systems benefits charge but such expenditures
111 shall not exceed four million dollars per month. All receipts from the
112 remaining charge imposed under this subsection, after reduction of
113 such charge to offset the increase in the competitive transition
114 assessment as provided in this subsection, shall be disbursed to the
115 Energy Conservation and Load Management Fund commencing as of
116 July 1, 2003. Any increase in the competitive transition assessment or
117 decrease in the conservation and load management component of an
118 electric distribution company's rates resulting from the issuance of or
119 obligations under rate reduction bonds shall be included as rate
120 adjustments on customer bills.

121 (b) The electric distribution company shall establish an Energy
122 Conservation and Load Management Fund which shall be held
123 separate and apart from all other funds or accounts. Receipts from the
124 charge imposed under subsection (a) of this section shall be deposited
125 into the fund. Any balance remaining in the fund at the end of any
126 fiscal year shall be carried forward in the fiscal year next succeeding.
127 Disbursements from the fund by electric distribution companies to
128 carry out the plan developed under subsection (d) of this section shall
129 be authorized by the Department of Public Utility Control upon its
130 approval of such plan.

131 (c) The Department of Public Utility Control shall appoint and
132 convene an Energy Conservation Management Board which shall
133 include representatives of: (1) An environmental group knowledgeable
134 in energy conservation program collaboratives; (2) the Office of
135 Consumer Counsel; (3) the Attorney General; (4) the Department of
136 Environmental Protection; (5) the electric distribution companies in
137 whose territories the activities take place for such programs; (6) a state-
138 wide manufacturing association; (7) a chamber of commerce; (8) a
139 state-wide business association; (9) a state-wide retail organization;
140 (10) a representative of a municipal electric energy cooperative created
141 pursuant to chapter 101a; (11) two representatives selected by the gas
142 companies in this state; and [(10)] (12) residential customers. Such

143 members shall serve for a period of five years and may be reappointed.
144 Representatives of the gas companies shall not vote on matters
145 unrelated to gas conservation. Representatives of the electric
146 distribution companies and the municipal electric energy cooperative
147 shall not vote on matters unrelated to electricity conservation.

148 (d) (1) The Energy Conservation Management Board shall advise
149 and assist the electric distribution companies in the development and
150 implementation of a comprehensive plan, which plan shall be
151 approved by the Department of Public Utility Control, to implement
152 cost-effective energy conservation programs and market
153 transformation initiatives. The plan shall be consistent with the
154 comprehensive energy plan approved by the Connecticut Energy
155 Advisory Board pursuant to section 16a-7a at the time of submission to
156 the department. Each program contained in the plan shall be reviewed
157 by the electric distribution company and either accepted or rejected by
158 the Energy Conservation Management Board prior to submission to
159 the department for approval. The Energy Conservation Management
160 Board shall, as part of its review, examine opportunities to offer joint
161 programs providing similar efficiency measures that save more than
162 one fuel resource or otherwise to coordinate programs targeted at
163 saving more than one fuel resource. Any costs for joint programs shall
164 be allocated equitably among the conservation programs. The Energy
165 Conservation Management Board shall give preference to projects that
166 maximize the reduction of federally mandated congestion charges.

167 (2) There shall be a joint committee of the Energy Conservation
168 Management Board and the Renewable Energy Investments Advisory
169 Committee. The board and the advisory committee shall each appoint
170 members to such joint committee. The joint committee shall examine
171 opportunities to coordinate the programs and activities funded by the
172 Renewable Energy Investment Fund pursuant to section 16-245n, as
173 amended by this act, with the programs and activities contained in the
174 plan developed under this subsection to reduce the long-term cost,
175 environmental impacts and security risks of energy in the state. Such
176 joint committee shall hold its first meeting on or before August 1, 2005.

177 [(2)] (3) Programs included in the plan developed under subdivision
178 (1) of subsection (d) of this section shall be screened through cost-
179 effectiveness testing which compares the value and payback period of
180 program benefits to program costs to ensure that programs are
181 designed to obtain energy savings and system benefits, including
182 mitigation of federally mandated congestion charges, whose value is
183 greater than the costs of the programs. Cost-effectiveness testing shall
184 utilize available information obtained from real-time monitoring
185 systems to ensure accurate validation and verification of energy use.
186 Program cost-effectiveness shall be reviewed annually, or otherwise as
187 is practicable. If a program is determined to fail the cost-effectiveness
188 test as part of the review process, it shall either be modified to meet the
189 test or shall be terminated. On or before March 1, 2005, and [March 1,
190 2006] on or before March first annually thereafter, the board shall
191 provide a report, in accordance with the provisions of section 11-4a, to
192 the joint standing committees of the General Assembly having
193 cognizance of matters relating to energy and the environment [which]
194 (A) that documents expenditures and fund balances and evaluates the
195 cost-effectiveness of such programs conducted in the preceding year,
196 and (B) that documents the extent to and manner in which the
197 programs of such board collaborated and cooperated with programs,
198 established under section 17 of this act, of municipal electric energy
199 cooperatives. To maximize the reduction of federally mandated
200 congestion charges, programs in the plan may allow for
201 disproportionate allocations between the amount of contributions to
202 the Energy Conservation and Load Management Funds by a certain
203 rate class and the programs that benefit such a rate class. Before
204 conducting such evaluation, the board shall consult with the
205 Renewable Energy Investments Advisory Committee. The report shall
206 include a description of the activities undertaken during the reporting
207 period jointly or in collaboration with the Renewable Energy
208 Investment Fund established pursuant to subsection (c) of section 16-
209 245n, as amended by this act.

210 [(3)] (4) Programs included in the plan developed under subdivision

211 (1) of subsection (d) of this section may include, but not be limited to:
212 (A) Conservation and load management programs, including
213 programs that benefit low-income individuals; (B) research,
214 development and commercialization of products or processes which
215 are more energy-efficient than those generally available; (C)
216 development of markets for such products and processes; (D) support
217 for energy use assessment, real-time monitoring systems, engineering
218 studies and services related to new construction or major building
219 renovation; (E) the design, manufacture, commercialization and
220 purchase of energy-efficient appliances and heating, air conditioning
221 and lighting devices; (F) program planning and evaluation; (G) indoor
222 air quality programs relating to energy conservation; (H) joint fuel
223 conservation initiatives programs targeted at reducing consumption of
224 more than one fuel resource; and ~~[(H)]~~ (I) public education regarding
225 conservation. Such support may be by direct funding, manufacturers'
226 rebates, sale price and loan subsidies, leases and promotional and
227 educational activities. [Any other expenditure by the collaborative
228 shall be limited to] The plan shall also provide for expenditures by the
229 Energy Conservation Management Board for the retention of expert
230 consultants and reasonable administrative costs provided such
231 consultants shall not be employed by, or have any contractual
232 relationship with, an electric distribution company. Such costs shall
233 not exceed five per cent of the total revenue collected from the
234 assessment.

235 (e) Notwithstanding the provisions of subsections (a) to (d),
236 inclusive, of this section, the Department of Public Utility Control shall
237 authorize the disbursement of a total of one million dollars in each
238 month, commencing with July, 2003, and ending with July, 2005, from
239 the Energy Conservation and Load Management Funds established
240 pursuant to said subsections. The amount disbursed from each Energy
241 Conservation and Load Management Fund shall be proportionately
242 based on the receipts received by each fund. Such disbursements shall
243 be deposited in the General Fund.

244 (f) No later than December 31, 2006, and no later than December

245 thirty-first every five years thereafter, the Energy Conservation
246 Management Board shall, after consulting with the Renewable Energy
247 Investments Advisory Committee, conduct an evaluation of the
248 performance of the programs and activities of the fund and submit a
249 report, in accordance with the provisions of section 11-4a, of the
250 evaluation to the joint standing committee of the General Assembly
251 having cognizance of matters relating to energy.

252 Sec. 6. Section 16-245n of the general statutes is repealed and the
253 following is substituted in lieu thereof (*Effective from passage*):

254 (a) For purposes of this section, "renewable energy" means solar
255 energy, wind, ocean thermal energy, wave or tidal energy, fuel cells,
256 landfill gas, hydrogen production and hydrogen conversion
257 technologies, [and] low emission advanced biomass conversion
258 technologies, usable electricity from combined heat and power systems
259 with waste heat recovery systems, thermal storage systems and other
260 energy resources and emerging technologies which have significant
261 potential for commercialization and which do not involve the
262 combustion of coal, petroleum or petroleum products, municipal solid
263 waste or nuclear fission.

264 (b) On and after [January 1, 2000] July 1, 2004, the Department of
265 Public Utility Control shall assess or cause to be assessed a charge of
266 not less than [one-half of] one mill per kilowatt hour charged to each
267 end use customer of electric services in this state which shall be
268 deposited into the Renewable Energy Investment Fund established
269 under subsection (c) of this section. [On and after July 1, 2002, such
270 charge shall be three-quarters of one mill and on and after July 1, 2004,
271 such charge shall be one mill.] Notwithstanding the provisions of this
272 section, receipts from such charges shall be disbursed to the resources
273 of the General Fund during the period from July 1, 2003, to June 30,
274 2005, unless the department shall, on or before October 30, 2003, issue
275 a financing order for each affected distribution company in accordance
276 with sections 16-245e to 16-245k, inclusive, to sustain funding of
277 renewable energy investment programs by substituting an equivalent

278 amount, as determined by the department in such financing order, of
279 proceeds of rate reduction bonds for disbursement to the resources of
280 the General Fund during the period from July 1, 2003, to June 30, 2005.
281 The department may authorize in such financing order the issuance of
282 rate reduction bonds that substitute for disbursement to the General
283 Fund for receipts of both charges under this subsection and subsection
284 (a) of section 16-245m, as amended by this act, and also may in its
285 discretion authorize the issuance of rate reduction bonds under this
286 subsection and subsection (a) of section 16-245m, as amended by this
287 act, that relate to more than one electric distribution company. The
288 department shall, in such financing order or other appropriate order,
289 offset any increase in the competitive transition assessment necessary
290 to pay principal, premium, if any, interest and expenses of the issuance
291 of such rate reduction bonds by making an equivalent reduction to the
292 charges imposed under this subsection, provided any failure to offset
293 all or any portion of such increase in the competitive transition
294 assessment shall not affect the need to implement the full amount of
295 such increase as required by this subsection and sections 16-245e to 16-
296 245k, inclusive. Such financing order shall also provide if the rate
297 reduction bonds are not issued, any unrecovered funds expended and
298 committed by the electric distribution companies for renewable
299 resource investment through deposits into the Renewable Energy
300 Investment Fund, provided such expenditures were approved by the
301 department following August 20, 2003, and prior to the date of
302 determination that the rate reduction bonds cannot be issued, shall be
303 recovered by the companies from their respective competitive
304 transition assessment or systems benefits charge except that such
305 expenditures shall not exceed one million dollars per month. All
306 receipts from the remaining charges imposed under this subsection,
307 after reduction of such charges to offset the increase in the competitive
308 transition assessment as provided in this subsection, shall be disbursed
309 to the Renewable Energy Investment Fund commencing as of July 1,
310 2003. Any increase in the competitive transition assessment or decrease
311 in the renewable energy investment component of an electric
312 distribution company's rates resulting from the issuance of or

313 obligations under rate reduction bonds shall be included as rate
314 adjustments on customer bills.

315 (c) There is hereby created a Renewable Energy Investment Fund
316 which shall be administered by Connecticut Innovations, Incorporated.
317 The fund may receive any amount required by law to be deposited
318 into the fund and may receive any federal funds as may become
319 available to the state for renewable energy investments. Connecticut
320 Innovations, Incorporated, may use any amount in said fund for
321 expenditures which promote investment in renewable energy sources
322 in accordance with a comprehensive plan developed by it to foster the
323 growth, development and commercialization of renewable energy
324 sources, related enterprises and stimulate demand for renewable
325 energy and deployment of renewable energy sources which serve end
326 use customers in this state. Such expenditures may include, but not be
327 limited to, grants, direct or equity investments, contracts or other
328 actions which support research, development, manufacture,
329 commercialization, deployment and installation of renewable energy
330 technologies, and actions which expand the expertise of individuals,
331 businesses and lending institutions with regard to renewable energy
332 technologies.

333 (d) The chairperson of the board of directors of Connecticut
334 Innovations, Incorporated, shall convene a Renewable Energy
335 Investments Advisory Committee to assist Connecticut Innovations,
336 Incorporated, in matters related to the Renewable Energy Investment
337 Fund, including, but not limited to, development of a comprehensive
338 plan and expenditure of funds. The advisory committee shall, in such
339 plan, give preference to projects that maximize the reduction of
340 federally mandated congestion charges. The plan shall be consistent
341 with the comprehensive energy plan approved by the Connecticut
342 Energy Advisory Board pursuant to section 16a-7a. The advisory
343 committee shall include not more than twelve individuals with
344 knowledge and experience in matters related to the purpose and
345 activities of said fund. The advisory committee shall consist of the
346 following members: (1) One person with expertise regarding

347 renewable energy resources appointed by the speaker of the House of
348 Representatives; (2) one person representing a state or regional
349 organization primarily concerned with environmental protection
350 appointed by the president pro tempore of the Senate; (3) one person
351 with experience in business or commercial investments appointed by
352 the majority leader of the House of Representatives; (4) one person
353 representing a state or regional organization primarily concerned with
354 environmental protection appointed by the majority leader of the
355 Senate; (5) one person with experience in business or commercial
356 investments appointed by the minority leader of the House of
357 Representatives; (6) one person with experience in business or
358 commercial investments appointed by the minority leader of the
359 Senate; (7) two state officials with experience in matters relating to
360 energy policy and one person with expertise regarding renewable
361 energy resources appointed by the Governor; and (8) three persons
362 with experience in business or commercial investments appointed by
363 the board of directors of Connecticut Innovations, Incorporated. The
364 advisory committee shall issue annually a report to such chairperson
365 reviewing the activities of the fund in detail and shall provide a copy
366 of such report, in accordance with the provisions of section 11-4a, to
367 the joint standing committee of the General Assembly having
368 cognizance of matters relating to energy, the Department of Public
369 Utility Control and the Office of Consumer Counsel. The report shall
370 include a description of the programs and activities undertaken during
371 the reporting period jointly or in collaboration with the Energy
372 Conservation and Load Management Funds established pursuant to
373 section 16-245m, as amended by this act.

374 (e) There shall be a joint committee of the Energy Conservation
375 Management Board and the Renewable Energy Investments Advisory
376 Committee, as provided in subdivision (2) of subsection (d) of section
377 16-245m, as amended by this act.

378 (f) No later than December 31, 2006, and no later than December
379 thirty-first every five years thereafter, the advisory committee shall,
380 after consulting with the Energy Conservation Management Board,

381 conduct an evaluation of the performance of the programs and
382 activities of the fund and submit a report, in accordance with the
383 provisions of section 11-4a, of the evaluation to the joint standing
384 committee of the General Assembly having cognizance of matters
385 relating to energy.

386 Sec. 7. Subsection (a) of section 16-245d of the general statutes is
387 repealed and the following is substituted in lieu thereof (*Effective July*
388 *1, 2005*):

389 (a) The Department of Public Utility Control shall, by regulations
390 adopted pursuant to chapter 54, develop a standard billing format that
391 enables customers to compare pricing policies and charges among
392 electric suppliers. Not later than January 1, [2005] 2006, the department
393 shall adopt regulations, in accordance with the provisions of chapter
394 54, to provide that an electric supplier may provide direct billing and
395 collection services for electric generation services and related federally
396 mandated congestion [costs] charges that such supplier provides to its
397 customers that [use a demand meter or] have a maximum demand of
398 not less than [five] one hundred kilowatts and that choose to receive a
399 bill directly from such supplier. An electric company, electric
400 distribution company or electric supplier that provides direct billing of
401 the electric generation service component and related federally
402 mandated congestion [costs] charges, as the case may be, shall, in
403 accordance with the billing format developed by the department,
404 include the following information in each customer's bill, as
405 appropriate: (1) The total amount owed by the customer, which shall
406 be itemized to show, (A) the electric generation services component
407 and any additional charges imposed by the electric supplier, if
408 applicable, (B) the electric transmission and distribution charge,
409 including all applicable taxes and the systems benefits charge, as
410 provided in section 16-245l, as amended by this act, (C) the competitive
411 transition assessment, as provided in section 16-245g, (D) federally
412 mandated congestion [costs] charges, and (E) the conservation and
413 renewable energy charge, consisting of the conservation and load
414 management program charge, as provided in section 16-245m, as

415 amended by this act, and the renewable energy investment charge, as
416 provided in section 16-245n, as amended by this act; (2) any unpaid
417 amounts from previous bills which shall be listed separately from
418 current charges; (3) except for customers subject to a demand charge,
419 the rate and usage for the current month and each of the previous
420 twelve months in the form of a bar graph or other visual form; (4) the
421 payment due date; (5) the interest rate applicable to any unpaid
422 amount; (6) the toll-free telephone number of the electric distribution
423 company to report power losses; (7) the toll-free telephone number of
424 the Department of Public Utility Control for questions or complaints;
425 (8) the toll-free telephone number and address of the electric supplier;
426 and (9) a statement about the availability of information concerning
427 electric suppliers pursuant to section 16-245p.

428 Sec. 8. (NEW) (*Effective from passage*) (a) The Department of Public
429 Utility Control shall, not later than January 1, 2006, establish a program
430 to grant awards to retail end use customers of electric distribution
431 companies to fund the capital costs of obtaining projects of generation-
432 based, customer-side distributed resources, as defined in section 16-1
433 of the general statutes, as amended by this act. Any project shall
434 receive a one-time, nonrecurring award in an amount of not less than
435 one hundred dollars and not more than five hundred dollars per
436 kilowatt of capacity for such generation-based, customer-side
437 distributed resources, recoverable from federally mandated congestion
438 charges, as defined in section 16-1 of the general statutes, as amended
439 by this act. No such award may be made unless the projected
440 reduction in federally mandated congestion charges attributed to the
441 project for such distributed resources is greater than the amount of the
442 award. The amount of an award shall depend on the impact that the
443 customer-side distributed resources project has on reducing federally
444 mandated congestion charges, as defined in section 16-1 of the general
445 statutes, as amended by this act. Not later than October 1, 2005, the
446 department shall conduct a contested case proceeding, in accordance
447 with chapter 54 of the general statutes, to establish additional
448 standards for the amount of such awards and additional criteria and

449 the process for making such awards.

450 (b) The Department of Public Utility Control shall, not later than
451 January 1, 2006, establish a program to grant to an electric distribution
452 company a one-time, nonrecurring award of one hundred dollars per
453 kilowatt of generation-based, customer-side distributed resources
454 developed in such company's service territory. Payment of the award
455 shall be made at the time each such resource becomes operational. The
456 cost of the award shall be recoverable from federally mandated
457 congestion charges. Such companies' costs associated with establishing
458 a program for which an award is made and the cost of each such
459 award shall be recoverable through the charge for federally mandated
460 congestion charges. Revenues from such awards shall not be included
461 in calculating the electric distribution company's earnings for the
462 purpose of determining whether its rates are just and reasonable under
463 sections 16-19, 16-19a and 16-19e of the general statutes.

464 Sec. 9. (NEW) (*Effective from passage*) (a) Not later than January 1,
465 2006, the Department of Public Utility Control shall select, pursuant to
466 a competitive bid process, one or more persons to provide long-term
467 financing for customer-side distributed resources, as defined in section
468 16-1 of the general statutes, as amended by this act, and advanced
469 power monitoring and metering equipment purchased or leased by
470 customers of electric distribution companies. Such person may not be
471 an electric distribution company, as defined in said section 16-1, but
472 may be a generation affiliate of such company. The department may
473 retain a consultant to assist it in selecting such person or persons.

474 (b) A successful bidder pursuant to this section shall give preference
475 for such long-term financing to projects of customer-side distributed
476 resources and monitoring and metering equipment that maximize the
477 reduction of the federally mandated congestion charges. Costs eligible
478 for such financing shall include, but not be limited to, the capital costs
479 of projects of customer-side distributed resources and advanced power
480 monitoring and metering equipment. For financing provided by a
481 successful bidder pursuant to this section, the department shall

482 implement a buydown mechanism to reduce the effective annual
483 interest rate to the person receiving the financing to a level that is no
484 greater than the prime rate in effect on the date that the buydown
485 begins for the person receiving the financing.

486 (c) A person providing financing pursuant to this section shall, after
487 receiving approval from the department, enter into an agreement with
488 an electric distribution company, as defined in section 16-1 of the
489 general statutes, as amended by this act, for such company to provide
490 billing services with respect to the payments due to the financing
491 entity from the person receiving financing. The electric distribution
492 company, as defined in said section 16-1, shall recover all reasonable
493 costs incurred in implementing this section, including costs associated
494 with the buydown pursuant to subsection (b) of this section, as
495 federally mandated congestion charges, as defined in section 16-1 of
496 the general statutes, as amended by this act.

497 Sec. 10. (NEW) (*Effective from passage*) Not later than January 1, 2007,
498 and annually thereafter, the Department of Public Utility Control shall
499 assess the number and types of customer-side and grid-side
500 distributed resources, as defined in section 16-1 of the general statutes,
501 as amended by this act, projects financed pursuant to the provisions of
502 this act and such projects' contributions to achieving fuel diversity,
503 transmission support, and energy independence in the state. Not later
504 than January 1, 2007, and biennially thereafter, the department shall
505 collect the information in such annual assessments and report, in
506 accordance with the provisions of section 11-4a of the general statutes,
507 on the effectiveness of the award program established in section 8 of
508 this act and on its findings to the joint standing committee of the
509 General Assembly having cognizance of matters relating to energy.

510 Sec. 11. (NEW) (*Effective from passage*) On or before January 1, 2006,
511 each electric distribution company shall institute a program to rebate
512 to its customers with projects that use natural gas, which projects are
513 customer-side distributed resources, as defined in section 16-1 of the
514 general statutes, as amended by this act, an amount equivalent to the

515 customer's retail delivery charge for transporting natural gas from the
516 customer's local gas company to such customer's project of customer-
517 side distributed resources. Costs of such a rebate shall be recoverable
518 by the electric distribution company from the federally mandated
519 congestion charges, as defined in section 16-1 of the general statutes, as
520 amended by this act. The department may adopt regulations, in
521 accordance with chapter 54 of the general statutes, to implement the
522 provisions of this section.

523 Sec. 12. (NEW) (*Effective from passage*) (a) The Department of Public
524 Utility Control shall, on or before November 1, 2005, identify those
525 measures that can reduce federally mandated congestion charges, as
526 defined in section 16-1 of the general statutes, as amended by this act,
527 and that can be implemented, in whole or in part, on or before January
528 1, 2006. Such measures may include, but shall not be limited to,
529 demand response programs, other distributed resources, and contracts
530 between an electric distribution company, as defined in said section 16-
531 1, and an owner of generation resources for the capacity of such
532 resources. The department shall order each electric distribution
533 company to implement, in whole or in part, on or before January 1,
534 2006, such measures as the department considers appropriate. The
535 company's costs associated with complying with the provisions of this
536 section shall be recoverable through federally mandated congestion
537 charges.

538 (b) The department shall conduct a contested case, in accordance
539 with chapter 54 of the general statutes, to establish the principles and
540 standards to be used in developing and issuing a request for proposals
541 under this section. The department shall complete such contested case
542 on or before January 1, 2006.

543 (c) On or before February 1, 2006, the department shall conduct a
544 proceeding to develop and issue a request for proposals to solicit the
545 development of long-term projects for new generation, including
546 expanded or repowered generation, designed to reduce federally
547 mandated congestion charges for the period commencing on May 1,

2006, and ending on December 31, 2010, or such later date specified by the department. For purposes of this section, projects shall include (1) customer-side distributed resources, (2) grid-side distributed resources, (3) new generation facilities, and (4) contracts for a term of no more than fifteen years between a person and an electric distribution company for the purchase of electric capacity rights. Such request for proposals shall encourage responses from a variety of resource types and encourage diversity in the fuel mix used in generation. An electric distribution company may submit proposals pursuant to this subsection on the same basis as other respondents to the solicitation. A proposal submitted by an electric distribution company shall include its full projected costs such that any project costs recovered from or defrayed by ratepayers are included in the projected costs. If such electric distribution company's proposal is approved pursuant to subsection (g) of this section, the costs and revenues of such proposal shall not be included in calculating such company's earning for purposes of, or in determining whether its rates are just and reasonable under sections 16-19, 16-19a and 16-19e of the general statutes. Electric distribution companies may under no circumstances recover more than the full costs identified in the proposals, consistent with subsection (h) of this section. Affiliates of the electric distribution company may submit proposals, as approved under subsection (g) of this section, and consistent with section 16-244h of the general statutes, regulations adopted under said section 16-244h and other requirements the department may impose. The department may request from a person submitting a proposal further information, that the department determines to be in the public interest, to be used in evaluating the proposal. The department shall determine whether costs associated with subsection (l) shall be considered in the evaluation or selection of bids.

(d) The department shall publish such request for proposals in one or more newspapers or periodicals, as selected by the department, and shall post such request for proposals on its web site. The department may retain the services of a third-party entity with expertise in the area

582 of energy procurement to oversee the development of the request for
583 proposals and to assist the department in its approval of proposals
584 pursuant to this section. The reasonable and proper expenses for
585 retaining such third-party entity shall be recoverable through federally
586 mandated congestion charges, as defined in section 16-1 of the general
587 statutes, as amended by this act, which charges the department shall
588 allocate to electric distribution companies in proportion to their
589 revenue.

590 (e) Any person, other than an electric distribution company,
591 submitting a proposal pursuant to subdivision (2), (3) or (4) of
592 subsection (c) of this section shall include with its proposal a draft of a
593 contract that includes the transfer to the electric distribution company
594 of all the rights to the installed capacity, including, but not limited to,
595 forward reserve capacity, locational forward reserve capacity and
596 similar rights associated with such proposal, provided such rights shall
597 not include energy. No such draft of a contract shall have a term
598 exceeding fifteen years. Such draft contract shall include such
599 provisions as the Department of Public Utility Control directs.

600 (f) Each person submitting a proposal pursuant to this section shall
601 agree to forgo or credit reliability must run payments, locational
602 installed capacity payments or payments for similar purposes for any
603 project approved pursuant to subsection (g) of this section.

604 (g) The department shall, on or before May 1, 2006, evaluate such
605 proposals received pursuant to subsection (c) of this section and may
606 approve one or more of such proposals. The department shall give
607 preference to proposals that (1) result in the greatest aggregate
608 reduction of federally mandated congestion charges for the period
609 commencing on May 1, 2006, and ending on December 31, 2010, or
610 such later date specified by the department, (2) make efficient use of
611 existing sites and supply infrastructure, and (3) serve the long-term
612 interests of ratepayers. Projects proposed by persons other than electric
613 distribution companies approved pursuant to this subsection may
614 enter into long-term contracts pursuant to subsection (i) of this section.

615 Projects approved pursuant to this subsection are eligible for expedited
616 siting pursuant to subsection (a) of section 16-50k of the general
617 statutes, as amended by this act. Customer-side distributed resource
618 projects approved pursuant to this subsection shall be eligible for the
619 incentives provided pursuant to sections 9, 11 and 14 of this act and
620 this section, but shall not be eligible for the programs described in
621 section 8 of this act.

622 (h) If a proposal from an electric distribution company is approved
623 pursuant to subsection (g) of this section, such company may develop,
624 own and operate such resource, provided such company shall, not
625 later than five years after such resource begins commercial operation,
626 (1) sell such resource in accordance with section 16-43 of the general
627 statutes, or (2) auction the power or capacity, or both, associated with
628 such resource pursuant to a plan approved by the department. The
629 department shall, after notice and hearing, waive the requirements of
630 subdivisions (1) and (2) of this subsection if it determines that
631 compliance with such requirements would be detrimental to retail
632 customers. Such electric distribution company shall recover, as
633 federally mandated congestion charges, the unrecovered portions of
634 the full projected costs in its proposal made under subsection (c) of this
635 section.

636 (i) An electric distribution company shall negotiate the final terms of
637 the draft contract, submitted under subsection (e) of this section and
638 included in a proposal approved under subsection (g) of this section,
639 and shall apply to the department for approval of each such contract.
640 No such contract may become effective without approval of the
641 department. The department shall hold a hearing that shall be
642 conducted as a contested case, in accordance with the provisions of
643 chapter 54 of the general statutes, to approve, reject or modify an
644 application for approval of a capacity purchase contract. No contract
645 shall be approved unless the department finds that approval of such
646 contract would (1) result in the lowest reasonable cost of such products
647 and services, (2) increase reliability, and (3) minimize federally
648 mandated congestion charges to the state over the life of the contract.

649 Such a contract shall contain terms that mitigate the long-term risk
650 assumed by ratepayers. No contract approved by the department shall
651 have a term exceeding fifteen years. As determined by the department,
652 the electric distribution company shall either sell into the capacity
653 markets all or a portion of capacity rights transferred pursuant to this
654 section and use all proceeds from such sales to offset federally
655 mandated congestion charges incurred by all customers, or shall retain
656 such capacity rights to offset electric capacity charges associated with
657 transitional standard offer, standard service or service as supplier of
658 last resort under section 16-244c of the general statutes, as amended by
659 this act. The costs associated with long-term electric capacity contracts
660 shall be recovered through federally mandated congestion charges.

661 (j) The provisions of section 16a-7c of the general statutes shall not
662 apply to projects approved pursuant to this section.

663 (k) The department may order an electric distribution company to
664 submit a proposal pursuant to the provisions of this section and may
665 approve such a proposal under this section. Nothing in sections 16-1,
666 16-19ss, 16-32f, 16-50i, 16-50k, 16-50x, 16-244c, 16-244e, 16-245d, 16-
667 245m and 16-245n of the general statutes, as amended by this act, and
668 sections 8 to 16, inclusive, and 20 and 21 of this act shall limit the
669 department's ability to conduct requests for proposals, in addition to
670 that in subsection (c) of this section, to reduce federally mandated
671 congestion charges and to approve such proposals or otherwise to
672 meet its responsibility under title 16 of the general statutes.

673 (l) The department shall hold a hearing that shall be conducted as a
674 contested case, in accordance with the provisions of chapter 54 of the
675 general statutes, to investigate any impact on the financial condition of
676 electric distribution companies of long-term contracts entered into
677 pursuant to this section and to establish, before issuing a request for
678 proposals in accordance with subsection (c) of this section, the
679 methodology for compensating the companies for such impacts. The
680 methodology for addressing such impacts shall be included in the
681 request for proposals under subsection (c) of this section, if

682 appropriate. If the department determines that entering into such
683 long-term contracts results in increased costs incurred by the electric
684 distribution companies, the department, annually, shall allow such
685 costs to be recovered through rates or in such manner as the
686 department considers appropriate. The department shall consider
687 whether such costs shall be considered in the evaluation or selection of
688 bids under this section.

689 (m) For purposes of subdivision (1) of subsection (c) of section 16-
690 50p of the general statutes, there shall be a rebuttable presumption that
691 there is a public benefit in building a facility, as defined in subdivision
692 (1) of subsection (a) of section 16-50i of the general statutes, as
693 amended by this act, that has been approved by the Department of
694 Public Utility Control pursuant to this section.

695 (n) The aggregate electric generating capacity for all approved
696 proposals by electric distribution companies pursuant to subsections
697 (g) and (k) of this section may not exceed two hundred fifty megawatts
698 of generating capacity state-wide. The department shall give guiding
699 preference in approving the amount of generation capacity in
700 proposals from electric distribution companies to the approximate
701 proportion of each company's service area load.

702 Sec. 13. (NEW) (*Effective from passage*) (a) Not later than October 1,
703 2005, each electric distribution company, as defined in section 16-1 of
704 the general statutes, as amended by this act, shall submit an
705 application to the Department of Public Utility Control to (1) on or
706 before January 1, 2007, implement mandatory peak, shoulder and off-
707 peak time of use rates for customers that have a maximum demand of
708 not less than three hundred fifty kilowatts, and (2) on or before June 1,
709 2006, offer optional interruptible or load response rates for customers
710 that have a maximum demand of not less than three hundred fifty
711 kilowatts and offer optional seasonal and time of use rates for all
712 customers. The application shall propose to establish time of use rates
713 through a procurement plan, revenue neutral adjustments to delivery
714 rates, or both.

715 (b) From March 1, 2006, until December 31, 2006, each electric
716 distribution company shall issue comparative analyses to customers
717 that have a maximum demand of not less than three hundred fifty
718 kilowatts that would demonstrate, at current levels of consumption,
719 the effects of the mandatory time of use rates as specified in
720 subdivision (l) of subsection (a) of this section to be effective beginning
721 January 1, 2007.

722 (c) Not later than November 1, 2005, each electric distribution
723 company shall submit an application to the Department of Public
724 Utility Control to implement mandatory seasonal rates for all
725 customers beginning April 1, 2007.

726 (d) From April 1, 2006, until March 31, 2007, each electric
727 distribution company shall issue comparative analyses to all customers
728 that demonstrate, at current levels of consumption, the effects of the
729 mandatory seasonal rates that will be effective beginning April 1, 2007.

730 (e) The department shall hold a hearing that shall be conducted as a
731 contested case, in accordance with the provisions of chapter 54 of the
732 general statutes, to approve, reject or modify applications submitted
733 pursuant to subsection (a) or (c) of this section. No application for time
734 of use rates shall be approved unless (1) such rates reasonably reflect
735 the cost of service during peak, shoulder, seasonal and off-peak
736 periods, and (2) the costs associated with implementation, the impact
737 on customers and benefits to the utility system justify implementation
738 of such rates, and (3) such rates alter patterns of customer
739 consumption of electricity without undue adverse effect on the
740 customer.

741 (f) Each electric distribution company shall assist customers to help
742 manage loads and reduce peak consumption through the
743 comprehensive plan developed pursuant to section 16-245m of the
744 general statutes, as amended by this act.

745 (g) The department shall conduct a contested case, in accordance
746 with chapter 54 of the general statutes, to determine the standards

747 under which, and process by which, a customer, having a maximum
748 demand of three hundred fifty kilowatts or more, may obtain an
749 exemption, until July 1, 2010, from mandatory time of use rates as
750 specified in subdivision (1) of subsection (a) of this section. The
751 department shall issue a decision in the contested case no later than
752 January 1, 2006.

753 Sec. 14. (NEW) (*Effective from passage*) (a) If a customer of an electric
754 distribution company implements customer-side distributed resource
755 capacity after January 1, 2006, and such capacity is less than the
756 customer's maximum metered peak load, the customer shall not be
757 required to pay back-up power rates if the customer's distributed
758 resources are available during system peak periods, provided the
759 customer shall continue to be required to pay otherwise applicable
760 charges for electricity provided by the electric distribution company.

761 (b) The costs that a customer is not required to pay pursuant to
762 subsection (a) of this section shall be recoverable through federally
763 mandated congestion charges by the electric distribution companies.

764 Sec. 15. (NEW) (*Effective from passage*) (a) An electric distribution
765 company may recover its costs and investments that have been
766 prudently incurred under the provisions of sections 16-1, 16-19ss, 16-
767 50k, 16-50x, 16-244c, 16-244e, 16,245d, 16-245m, and 16-245n, of the
768 general statutes, as amended by this act, and sections 8 to 16, inclusive,
769 and 20, 21 and 29 of this act. The Department of Public Utility Control
770 shall, after a hearing held pursuant to the provisions of chapter 54 of
771 the general statutes, determine the appropriate mechanism to obtain
772 cost recovery in a timely manner which mechanism may be one or
773 more of the following: (1) Approval of rates as provided in sections 16-
774 19 and 16-19e of the general statutes; (2) the energy adjustment clause
775 as provided in section 16-19b of the general statutes; or (3) the
776 federally mandated congestion charges, as defined in section 16-1 of
777 the general statutes, as amended by this act. If an electric distribution
778 company has, for six consecutive months, earned a return on equity
779 below the return authorized by the department, earnings of such

780 electric distribution companies that are adversely affected owing to
781 decreased energy use attributable to implementation of the provisions
782 of sections 16-1, 16-19ss, 16-50k, 16-50x, 16-244c, 16-244e, 16-245d, 16-
783 245m, and 16-245n, of the general statutes, as amended by this act, and
784 sections 8 to 16, inclusive, and 20, 21 and 29 of this act are recoverable
785 pursuant to the provisions of section 16-19kk of the general statutes.

786 (b) Electric distribution companies shall be authorized to earn an
787 incentive, as provided in section 16-19kk of the general statutes, for
788 costs prudently incurred by such companies pursuant to this section.

789 Sec. 16. (NEW) (*Effective from passage*) (a) On and after January 1,
790 2007, each electric distribution company providing standard service
791 pursuant to section 16-244c of the general statutes, as amended by this
792 act, and each electric supplier as defined in section 16-1 of the general
793 statutes, as amended by this act, shall demonstrate to the satisfaction of
794 the Department of Public Utility Control that not less than one per cent
795 of the total output of such supplier or such standard service of an
796 electric distribution company shall be obtained from Class III
797 resources. On and after January 1, 2008, not less than two per cent of
798 the total output of any such supplier or such standard service of an
799 electric distribution company shall, on demonstration satisfactory to
800 the Department of Public Utility Control, be obtained from Class III
801 resources. On or after January 1, 2009, not less than three per cent of
802 the total output of any such supplier or such standard service of an
803 electric distribution company shall, on demonstration satisfactory to
804 the Department of Public Utility Control, be obtained from Class III
805 resources. On and after January 1, 2010, not less than four per cent of
806 the total output of any such supplier or such standard service of an
807 electric distribution company shall, on demonstration satisfactory to
808 the Department of Public Utility Control, be obtained from Class III
809 resources. Electric power obtained from customer-side distributed
810 resources that does not meet air quality standards of the Department
811 of Environmental Protection is not eligible for purposes of meeting the
812 percentage standards in this section.

813 (b) Except as provided in subsection (d) of this section, the
814 Department of Public Utility Control shall assess each electric supplier
815 and each electric distribution company that fails to meet the
816 percentage standards of subsection (a) of this section a charge of up to
817 five and five-tenths cents for each kilowatt hour of electricity that such
818 supplier or company is deficient in meeting such percentage
819 standards. Seventy-five per cent of such assessed charges shall be
820 deposited in the Energy Conservation and Load Management Fund
821 established in section 16-245m of the general statutes, as amended by
822 this act, and twenty-five per cent shall be deposited in the Renewable
823 Energy Investment Fund established in section 16-245n of the general
824 statutes, as amended by this act, except that such seventy-five per cent
825 of assessed charges with respect to an electric supplier shall be divided
826 among the Energy Conservation and Load Management Funds of
827 electric distribution companies in proportion to the amount of
828 electricity such electric supplier provides to end use customers in the
829 state using the facilities of each electric distribution company.

830 (c) An electric supplier or electric distribution company may satisfy
831 the requirements of this section by participating in a conservation and
832 distributed resources trading program approved by the Department of
833 Public Utility Control. Credits created by conservation and customer-
834 side distributed resources shall be allocated to the person that
835 conserved the electricity or installed the project for customer-side
836 distributed resources to which the credit is attributable and to the
837 Energy Conservation and Load Management Fund. Such credits shall
838 be made in the following manner: A minimum of twenty-five per cent
839 of the credits shall be allocated to the person that conserved the
840 electricity or installed the project for customer-side distributed
841 resources to which the energy credit is attributable and the remainder
842 of the credits shall be allocated to the Energy Conservation and Load
843 Management Fund, based on a schedule created by the department no
844 later than January 1, 2007, and reviewed annually thereafter. The
845 department may, in a proceeding and for good cause shown, allocate a
846 larger proportion of such credits to the person who conserved the

847 electricity or installed the customer-side distributed resources. The
848 department shall consider the proportion of investment made by a
849 ratepayer through various ratepayer-funded incentive programs and
850 the resulting reduction in federally mandated congestion charges. The
851 portion allocated to the Energy Conservation and Load Management
852 Fund shall be used for measures that respond to energy demand and
853 for peak reduction programs.

854 (d) An electric distribution company providing standard service
855 may contract with its wholesale suppliers to comply with the
856 conservation and customer-side distributed resources standards set
857 forth in subsection (a) of this section. The Department of Public Utility
858 Control shall annually conduct a contested case, in accordance with the
859 provisions of chapter 54 of the general statutes, to determine whether
860 the electric distribution company's wholesale suppliers met the
861 conservation and distributed resources standards during the preceding
862 year. Any such contract shall include a provision that requires such
863 supplier to pay the electric distribution company in an amount of up to
864 five and one-half cents per kilowatt hour if the wholesale supplier fails
865 to comply with the conservation and distributed resources standards
866 during the subject annual period. The electric distribution company
867 shall immediately transfer seventy-five per cent of any payment
868 received from the wholesale supplier for the failure to meet the
869 conservation and distributed resources standards to the Energy
870 Conservation and Load Management Fund and twenty-five per cent to
871 the Renewable Energy Investment Fund. Any payment made pursuant
872 to this section shall not be considered revenue or income to the electric
873 distribution company.

874 (e) The Department of Public Utility Control shall conduct a
875 contested proceeding to develop the administrative processes and
876 program specifications that are necessary to implement a Class III
877 conservation and distributed resources trading program. The
878 proceeding shall include, but not be limited to, an examination of
879 issues such as (1) the manner in which qualifying activities are
880 certified, tracked and reported, (2) the manner in which Class III

881 certificates are created, accounted for and transferred, (3) the feasibility
882 and benefits of expanding eligible Class III resources to include those
883 resulting from electricity savings made by residential customers, (4)
884 verification of the accuracy of conservation and customer-side
885 distributed resources credits, (5) verification of the fact that resources
886 or credits used to satisfy the requirement of this section have not been
887 used to satisfy any other portfolio or similar requirement, (6) the
888 manner in which credits created by conservation and customer-side
889 distributed resources may best be allocated to maximize the impact of
890 the trading program, and (7) setting such alternative payment amounts
891 at a level that encourages development of conservation and customer-
892 side distributed resources. The department may retain the services of a
893 third party entity with expertise in the development of energy
894 efficiency trading or verification programs to assist in the development
895 and operation of the program. The department shall issue a decision
896 no later than February 1, 2006.

897 Sec. 17. (NEW) (*Effective from passage*) (a) Each municipal electric
898 utility created pursuant to chapter 101 of the general statutes or by
899 special act shall, for investment in renewable energy sources and for
900 conservation and load management programs pursuant to this section,
901 accrue from each kilowatt hour of its metered firm electric retail sales,
902 exclusive of such sales to United States government naval facilities in
903 this state, no less than the following amounts during the following
904 periods, in a manner conforming to the requirement of this section: (1)
905 1.0 mills on and after January 1, 2006; (2) 1.3 mills on and after January
906 1, 2007; (3) 1.6 mills on and after January 1, 2008; (4) 1.9 mills on and
907 after January 1, 2009; (5) 2.2 mills on and after January 1, 2010; and (6)
908 2.5 mills on and after January 1, 2011.

909 (b) There is hereby created a Municipal Energy Conservation and
910 Load Management Fund in each municipal electric energy cooperative
911 created pursuant to chapter 101a of the general statutes, which fund
912 shall be a separate and dedicated fund to be held and administered by
913 such cooperative. Each municipal electric utility created pursuant to
914 chapter 101 of the general statutes or by special act that is a member or

915 participant in such a municipal electric energy cooperative shall accrue
916 and deposit such amounts as specified in subsection (a) of this section
917 into such fund. Any balance remaining in the fund at the end of any
918 fiscal year shall be carried forward in the fiscal year next succeeding.
919 Disbursements from the fund shall be made pursuant to the
920 comprehensive electric conservation and load management plan
921 prepared by the cooperative in accordance with subsection (c) of this
922 section.

923 (c) Such cooperative shall, annually, adopt a comprehensive plan for
924 the expenditure of such funds by the cooperative on behalf of such
925 municipal electric utilities for the purpose of carrying out electric
926 conservation, investments in renewable energy sources, energy
927 efficiency and electric load management programs funded by the
928 charge accrued pursuant to subsection (a) of this section. The
929 cooperative shall expend or cause to be expended the amounts held in
930 such fund in conformity with the adopted plan. The plan may direct
931 the expenditure of funds on facilities or measures located in any one or
932 more of the service areas of the municipal electric utilities who are
933 members or participants in such cooperative and may provide for the
934 establishment of goals and standards for measuring the cost
935 effectiveness of expenditures made from such fund, for the
936 minimization of federally mandated congestion charges and for
937 achieving appropriate geographic coverage and scope in each such
938 service area. Such plan shall be consistent with the comprehensive
939 plan of the Energy Conservation Management Board established under
940 section 16-245m of the general statutes, as amended by this act. Such
941 cooperative, annually, shall submit its plan to such board for review.

942 Sec. 18. Subsection (a) of section 16-50k of the general statutes is
943 repealed and the following is substituted in lieu thereof (*Effective from*
944 *passage*):

945 (a) Except as provided in subsection (b) of section 16-50z, no person
946 shall exercise any right of eminent domain in contemplation of,
947 commence the preparation of the site for, or commence the

948 construction or supplying of a facility, or commence any modification
949 of a facility, that may, as determined by the council, have a substantial
950 adverse environmental effect in the state without having first obtained
951 a certificate of environmental compatibility and public need,
952 hereinafter referred to as a "certificate", issued with respect to such
953 facility or modification by the council, except fuel cells with a
954 generating capacity of ten kilowatts or less which shall not require
955 such certificate. Any facility with respect to which a certificate is
956 required shall thereafter be built, maintained and operated in
957 conformity with such certificate and any terms, limitations or
958 conditions contained therein. Notwithstanding the provisions of this
959 chapter or title 16a, the council shall, in the exercise of its jurisdiction
960 over the siting of generating facilities, approve by declaratory ruling
961 (1) the construction of a facility solely for the purpose of generating
962 electricity, other than an electric generating facility that uses nuclear
963 materials or coal as fuel, at a site where an electric generating facility
964 operated prior to July 1, [1998] 2002, (2) the construction or location of
965 any fuel cell, unless the council finds a substantial adverse
966 environmental effect, or of any customer-side distributed resources
967 project or facility or grid-side distributed resources project or facility
968 with a capacity of not more than sixty-five megawatts, so long as such
969 project meets air quality standards of the Department of
970 Environmental Protection, and (3) the siting of temporary generation
971 solicited by the Department of Public Utility Control pursuant to
972 section 16-19ss, as amended by this act.

973 Sec. 19. (NEW) (*Effective from passage*) The provisions of sections 16-
974 1, 16-19ss, 16-32f, 16-50i, 16-50k, 16-50x, 16-244c, 16-244e, 16-245d, 16-
975 245m and 16-245n of the general statutes, as amended by this act, and
976 sections 8 to 17, inclusive, and 20, 21 and 29 of this act apply to
977 customer-side distributed resources and grid-side distributed
978 resources developed in this state that add electric capacity on and after
979 January 1, 2006, and in accordance with the provisions of said sections
980 16-1, 16-19ss, 16-32f, 16-50i, 16-50k, 16-50x, 16-244c, 16-244e, 16-245d,
981 16-245m and 16-245n, and sections 8 to 17, inclusive, and 20, 21 and 29

982 of this act.

983 Sec. 20. (NEW) (*Effective from passage*) Not later than October 1, 2005,
984 the Department of Public Utility Control and the Energy Conservation
985 Management Board, established in section 16-245m of the general
986 statutes, as amended by this act, shall establish links on their Internet
987 web sites to the Energy Star program or successor program that
988 promotes energy efficiency and each electric distribution company
989 shall establish a link under its conservation programs on its Internet
990 web site to the Energy Star program or such successor program.

991 Sec. 21. (NEW) (*Effective from passage*) The Department of Public
992 Utility Control shall conduct an investigation on how best to decouple
993 the earnings of natural gas companies and other public service
994 companies from their sales to promote the state's energy policy. The
995 department shall report, in accordance with the provisions of section
996 11-4a of the general statutes, its findings and recommendations for
997 legislation to the joint standing committee of the General Assembly
998 having cognizance of matters relating to energy and technology on or
999 before January 1, 2006.

1000 Sec. 22. Section 16-32f of the general statutes is repealed and the
1001 following is substituted in lieu thereof (*Effective July 1, 2005*):

1002 (a) On or before October first of each even-numbered year, a gas
1003 company, as defined in section 16-1, as amended by this act, shall
1004 furnish a report to the Department of Public Utility Control containing
1005 a five-year forecast of loads and resources. The report shall describe
1006 the facilities and supply sources that, in the judgment of such gas
1007 company, will be required to meet gas demands during the forecast
1008 period. The report shall be made available to the public and shall be
1009 furnished to the chief executive officer of each municipality in the
1010 service area of such gas company, the regional planning agency which
1011 encompasses each such municipality, the Attorney General, the
1012 president pro tempore of the Senate, the speaker of the House of
1013 Representatives, the joint standing committee of the General Assembly

1014 having cognizance of matters relating to public utilities, any other
1015 member of the General Assembly making a request to the department
1016 for the report and such other state and municipal entities as the
1017 department may designate by regulation. The report shall include: (1)
1018 A tabulation of estimated peak loads and resources for each year; (2)
1019 data on gas use and peak loads for the five preceding calendar years;
1020 (3) a list of present and projected gas supply sources; (4) specific
1021 measures to control load growth and promote conservation; and (5)
1022 such other information as the department may require by regulation. A
1023 full description of the methodology used to arrive at the forecast of
1024 loads and resources shall also be furnished to the department. The
1025 department shall hold a public hearing on such reports upon the
1026 request of any person. On or before August first of each odd-
1027 numbered year, the department may request a gas company to furnish
1028 to the department an updated report. A gas company shall furnish any
1029 such updated report not later than sixty days following the request of
1030 the department.

1031 (b) [A] Not later than October 1, 2005, and annually thereafter, a gas
1032 company, as defined in section 16-1, as amended by this act, shall
1033 submit to the Department of Public Utility Control a gas conservation
1034 plan, [along with the company's five-year forecast, as defined in
1035 subsection (a) of this section. The plan shall include: (1) Specific
1036 quantifiable conservation and load management targets; (2)
1037 conservation option descriptions, analyses and the methodology used
1038 to evaluate conservation options reviewed by such company; and (3)
1039 an estimation of conservation option costs and benefits, sufficiently
1040 detailed to allow the department to evaluate revenue requirements
1041 and other social and environmental costs and benefits, or such other
1042 components as the department may by order direct] in accordance
1043 with the provisions of this section, to implement cost-effective energy
1044 conservation programs and market transformation initiatives. All
1045 supply and conservation and load management options shall be
1046 evaluated and selected within an integrated supply and demand
1047 planning framework. [The department shall hold a public hearing on

1048 such plans in conjunction with the public hearing held pursuant to
1049 subsection (a) of this section. On or before August first of each odd-
1050 numbered year, the department may request a gas company to submit
1051 an updated plan to the department. A gas company shall furnish any
1052 such updated plan not later than sixty days following the request of
1053 the department.] The department shall, in an uncontested proceeding
1054 during which the department may hold a public hearing, approve,
1055 modify or reject the plan.

1056 (c) (1) The Energy Conservation Management Board, established
1057 pursuant to section 16-245m, as amended by this act, shall advise and
1058 assist each such gas company in the development and implementation
1059 of the plan submitted under subsection (b) of this section. Each
1060 program contained in the plan shall be reviewed by each such gas
1061 company and shall be either accepted, modified or rejected by the
1062 Energy Conservation Management Board before submission of the
1063 plan to the department for approval. The Energy Conservation
1064 Management Board shall, as part of its review, examine opportunities
1065 to offer joint programs providing similar efficiency measures that save
1066 more than one fuel resource or to otherwise coordinate programs
1067 targeted at saving more than one fuel resource. Any costs for joint
1068 programs shall be allocated equitably among the conservation
1069 programs.

1070 (2) Programs included in the plan shall be screened through cost-
1071 effectiveness testing that compares the value and payback period of
1072 program benefits to program costs to ensure that the programs are
1073 designed to obtain gas savings whose value is greater than the costs of
1074 the program. Program cost-effectiveness shall be reviewed annually by
1075 the department, or otherwise as is practicable. If the department
1076 determines that a program fails the cost-effectiveness test as part of the
1077 review process, the program shall either be modified to meet the test
1078 or shall be terminated. On or before January 1, 2007, and annually
1079 thereafter, the board shall provide a report, in accordance with the
1080 provisions of section 11-4a, to the joint standing committees of the
1081 General Assembly having cognizance of matters relating to energy and

1082 the environment, that documents expenditures and funding for such
1083 programs and evaluates the cost-effectiveness of such programs
1084 conducted in the preceding year, including any increased cost-
1085 effectiveness owing to offering programs that save more than one fuel
1086 resource.

1087 (3) Programs included in the plan may include, but are not limited
1088 to: (A) Conservation and load management programs, including
1089 programs that benefit low-income individuals; (B) research,
1090 development and commercialization of products or processes that are
1091 more energy-efficient than those generally available; (C) development
1092 of markets for such products and processes; (D) support for energy use
1093 assessment, engineering studies and services related to new
1094 construction or major building renovations; (E) the design,
1095 manufacture, commercialization and purchase of energy-efficient
1096 appliances, air conditioning and heating devices; (F) program planning
1097 and evaluation; (G) joint fuel conservation initiatives and programs
1098 targeted at saving more than one fuel resource; and (H) public
1099 education regarding conservation. Such support may be by direct
1100 funding, manufacturers' rebates, sale price and loan subsidies, leases
1101 and promotional and educational activities. The plan shall also provide
1102 for expenditures by the Energy Conservation Management Board for
1103 the retention of expert consultants and reasonable administrative costs,
1104 provided such consultants shall not be employed by, or have any
1105 contractual relationship with, a gas company. Such costs shall not
1106 exceed five per cent of the total cost of the plan.

1107 (d) Nothing in this section shall be construed to require the
1108 Department of Public Utility Control to establish a conservation charge
1109 to support the programs in this section.

1110 Sec. 23. Subsection (a) of section 16-50x of the general statutes is
1111 repealed and the following is substituted in lieu thereof (*Effective July*
1112 *1, 2005*):

1113 (a) Notwithstanding any other provision of the general statutes to

1114 the contrary, except as provided in section 16-243, the council shall
1115 have exclusive jurisdiction over the location and type of facilities and
1116 over the location and type of modifications of facilities subject to the
1117 provisions of subsection (d) of this section. In ruling on applications
1118 for certificates or petitions for a declaratory ruling for facilities and on
1119 requests for shared use of facilities, the council shall give such
1120 consideration to other state laws and municipal regulations as it shall
1121 deem appropriate. Whenever the council certifies a facility pursuant to
1122 this chapter, such certification shall satisfy and be in lieu of all
1123 certifications, approvals and other requirements of state and municipal
1124 agencies in regard to any questions of public need, convenience and
1125 necessity for such facility.

1126 Sec. 24. Subsection (a) of section 16-50i of the general statutes is
1127 repealed and the following is substituted in lieu thereof (*Effective from*
1128 *passage*):

1129 (a) "Facility" means: (1) An electric transmission line of a design
1130 capacity of sixty-nine kilovolts or more, including associated
1131 equipment but not including a transmission line tap, as defined in
1132 subsection (e) of this section; (2) a fuel transmission facility, except a
1133 gas transmission line having a design capability of less than two
1134 hundred pounds per square inch gauge pressure or having a design
1135 capacity of less than twenty per cent of its specified minimum yield
1136 strength; (3) any electric generating or storage facility using any fuel,
1137 including nuclear materials, including associated equipment for
1138 furnishing electricity but not including an emergency generating
1139 device, as defined in subsection (f) of this section or a facility (i) owned
1140 and operated by a private power producer, as defined in section
1141 16-243b, (ii) which is a qualifying small power production facility or a
1142 qualifying cogeneration facility under the Public Utility Regulatory
1143 Policies Act of 1978, as amended, or a facility determined by the
1144 council to be primarily for a producer's own use, and (iii) which has, in
1145 the case of a facility utilizing renewable energy sources, a generating
1146 capacity of one megawatt of electricity or less and, in the case of a
1147 facility utilizing cogeneration technology, a generating capacity of

1148 twenty-five megawatts of electricity or less; (4) any electric substation
1149 or switchyard designed to change or regulate the voltage of electricity
1150 at sixty-nine kilovolts or more or to connect two or more electric
1151 circuits at such voltage, which substation or switchyard may have a
1152 substantial adverse environmental effect, as determined by the council
1153 established under section 16-50j, and other facilities which may have a
1154 substantial adverse environmental effect as the council may, by
1155 regulation, prescribe; (5) such community antenna television towers
1156 and head-end structures, including associated equipment, which may
1157 have a substantial adverse environmental effect, as said council shall,
1158 by regulation, prescribe; (6) such telecommunication towers, including
1159 associated telecommunications equipment, owned or operated by the
1160 state, a public service company or a certified telecommunications
1161 provider or used in a cellular system, as defined in the Code of Federal
1162 Regulations Title 47, Part 22, as amended, which may have a
1163 substantial adverse environmental effect, as said council shall, by
1164 regulation, prescribe; and (7) any component of a proposal submitted
1165 pursuant to the request-for-proposal process.

1166 Sec. 25. Subparagraph (D) of subdivision (2) of subsection (b) of
1167 section 16-244c of the general statutes is repealed and the following is
1168 substituted in lieu thereof (*Effective July 1, 2005*):

1169 (D) The transitional standard offer (i) shall be adjusted to the extent
1170 of any increase or decrease in state taxes attributable to sections 12-264
1171 and 12-265 and any other increase or decrease in state or federal taxes
1172 resulting from a change in state or federal law, (ii) shall be adjusted to
1173 provide for the cost of contracts under subdivision (2) of subsection (j)
1174 of this section, as amended by this act, and the administrative costs for
1175 the procurement of such contracts, and (iii) shall continue to be
1176 adjusted during such period pursuant to section 16-19b. Savings
1177 attributable to a reduction in taxes shall not be shifted between
1178 customer classes. Notwithstanding the provisions of section 16-19b, the
1179 provisions of section 16-19b shall apply to electric distribution
1180 companies.

1181 Sec. 26. Subsection (j) of section 16-244c of the general statutes is
1182 repealed and the following is substituted in lieu thereof (*Effective*
1183 *October 1, 2005*):

1184 (j) (1) Notwithstanding the provisions of subsection (d) of this
1185 section regarding an alternative transitional standard offer option or
1186 an alternative standard service option, an electric distribution
1187 company providing transitional standard offer service, standard
1188 service, supplier of last resort service or back-up electric generation
1189 service in accordance with this section shall contract with its wholesale
1190 suppliers to comply with the renewable portfolio standards. The
1191 Department of Public Utility Control shall annually conduct a
1192 contested case, in accordance with the provisions of chapter 54, in
1193 order to determine whether the electric distribution company's
1194 wholesale suppliers met the renewable portfolio standards during the
1195 preceding year. An electric distribution company shall include a
1196 provision in its contract with each wholesale supplier that requires the
1197 wholesale supplier to pay the electric distribution company an amount
1198 of five and one-half cents per kilowatt hour if the wholesale supplier
1199 fails to comply with the renewable portfolio standards during the
1200 subject annual period. The electric distribution company shall
1201 promptly transfer any payment received from the wholesale supplier
1202 for the failure to meet the renewable portfolio standards to the
1203 Renewable Energy Investment Fund for the development of Class I
1204 renewable energy sources. Any payment made pursuant to this section
1205 shall not be considered revenue or income to the electric distribution
1206 company.

1207 (2) Notwithstanding the provisions of subsection (d) of this section
1208 regarding an alternative transitional standard offer option or an
1209 alternative standard service option, an electric distribution company
1210 providing transitional standard offer service, standard service,
1211 supplier of last resort service or back-up electric generation service in
1212 accordance with this section shall, not later than July 1, [2007] 2008, file
1213 with the Department of Public Utility Control for its approval one or
1214 more long-term power purchase contracts from Class I renewable

1215 energy source projects that receive funding from the Renewable
1216 Energy Investment Fund and that are not less than one megawatt in
1217 size, at a price that is either, at the determination of the project owner,
1218 (1) not more than the total of the comparable wholesale market price
1219 for generation plus five and one-half cents per kilowatt hour, or (2)
1220 fifty per cent of the wholesale market electricity cost at the point at
1221 which transmission lines intersect with each other or interface with the
1222 distribution system, plus the project cost of fuel indexed to natural gas
1223 futures contracts on the New York Mercantile Exchange at the natural
1224 gas pipeline interchange located in Vermillion Parish, Louisiana that
1225 serves as the delivery point for such futures contracts, plus the fuel
1226 delivery charge for transporting fuel to the project, plus five and one-
1227 half cents per kilowatt hour. In its approval of such contracts, the
1228 department shall give preference to purchase contracts from those
1229 projects that would provide a financial benefit to ratepayers or would
1230 enhance the reliability of the electric transmission system of the state.
1231 Such projects shall be located in this state. The owner of a fuel cell
1232 project principally manufactured in this state shall be allocated all
1233 available air emissions credits and tax credits attributable to the project
1234 and no less than fifty per cent of the energy credits in the Class I
1235 renewable energy credits program established in section 16-245a
1236 attributable to the project. Such contracts shall be comprised of not less
1237 than a total, apportioned among each electric distribution company, of
1238 one hundred megawatts. The cost of such contracts and the
1239 administrative costs for the procurement of such contracts directly
1240 incurred shall be eligible for inclusion in the [generation services
1241 charge component of rates] adjustment to the transitional standard
1242 offer as provided in this section and any subsequent rates for standard
1243 service, provided [that] such contracts are for a period of time
1244 sufficient to provide financing for such projects, but not less than ten
1245 years and are for projects which began operation on or after July 1,
1246 2003. [The] Except as provided in this subdivision, the amount from
1247 Class I renewable energy sources contracted under such contracts shall
1248 be applied to reduce the applicable Class I renewable energy source
1249 portfolio standards. For purposes of this subdivision, the department's

1250 determination of the comparable wholesale market price for
1251 generation shall be based upon a reasonable estimate.

1252 Sec. 27. Section 16-244c of the general statutes is amended by adding
1253 subsection (k) as follows (*Effective from passage*):

1254 (NEW) (k) (1) In addition to its costs received pursuant to this
1255 section, each electric distribution company shall, as compensation for
1256 providing standard service, receive an amount equal to two-tenths of
1257 one mill per kilowatt hour, which shall be included in the rates of such
1258 company. Revenues from such compensation shall not be included in
1259 calculating the electric distribution company's earnings for purposes
1260 of, or in determining whether its rates are just and reasonable under,
1261 sections 16-19, 16-19a and 16-19e, including an earnings sharing
1262 mechanism. In addition, each electric distribution company may earn
1263 compensation for mitigating the prices of the contracts for the
1264 provision of electric generation services, as provided in subdivision (2)
1265 of this subsection.

1266 (2) The department shall conduct a contested case proceeding
1267 pursuant to the provisions of chapter 54 to establish an incentive plan
1268 for the procurement of long-term contracts for standard service by an
1269 electric distribution company. The incentive plan shall be based on a
1270 comparison of the actual average firm full requirements service
1271 contract price for electricity obtained by the electric distribution
1272 company for the preceding year, compared to the regional average
1273 firm full requirements service contract price for electricity for the
1274 preceding year, adjusted for such variables as the department
1275 considers appropriate, including, but not limited to, differences in
1276 locational installed capacity payments. If the actual average firm full
1277 requirements service contract price obtained by the electric
1278 distribution company for the preceding year is less than the actual
1279 regional average firm full requirements service contract price for the
1280 preceding year, the department shall, annually, divide the difference
1281 equally between ratepayers and the company, up to a maximum fifty-
1282 five hundredths mill per kilowatt hour in revenues to such company.

1283 Revenues from such incentive plan shall not be included in calculating
1284 the electric distribution company's earnings for the purpose of
1285 determining whether its rates are just and reasonable under sections
1286 16-19, 16-19a and 16-19e. The department may, as it considers
1287 necessary, retain a third party entity with expertise in energy
1288 procurement to assist with the development of such incentive plan.
1289 The costs of such incentive and of a third party entity shall be
1290 recoverable through the charge to recover federally mandated
1291 congestion charges, which charges the department shall allocate to
1292 electric distribution companies in proportion to their revenue.

1293 (3) The provisions of this subsection shall terminate on December
1294 31, 2009.

1295 (4) On or before January 1, 2009, the department shall report, in
1296 accordance with the provisions of section 11-4a, to the joint standing
1297 committee of the General Assembly having cognizance of matters
1298 relating to energy its recommendations as to whether the provisions of
1299 this section should be extended.

1300 Sec. 28. Subdivision (2) of subsection (a) of section 16-245a of the
1301 general statutes is repealed and the following is substituted in lieu
1302 thereof (*Effective January 1, 2006*):

1303 (2) An electric supplier or electric distribution company may satisfy
1304 the requirements of this subsection by (A) purchasing Class I or Class
1305 II renewable energy sources within the jurisdiction of the regional
1306 independent system operator, or, on and after January 1, 2010, within
1307 the jurisdiction of New York, Pennsylvania, New Jersey, Maryland,
1308 and Delaware, provided the department determines such states have a
1309 renewable portfolio standard that is comparable to this section; or (B)
1310 by participating in a renewable energy trading program within said
1311 jurisdictions as approved by the Department of Public Utility Control.

1312 Sec. 29. (NEW) (*Effective from passage*) (a) The Department of Public
1313 Utility Control shall, not later than January 1, 2006, establish a program
1314 to grant awards from January 1, 2006, to December 31, 2010, of twenty-

1315 five dollars per kilowatt-year to electric distribution companies for
 1316 programs, approved by the department and developed in this state on
 1317 or after January 1, 2006, of load curtailment, demand reduction and
 1318 retrofit conservation that reduce federally mandated congested
 1319 charges for the period from January 1, 2006, to December 31, 2010, or
 1320 such later date specified by the department. Such companies' costs
 1321 associated with establishing a program for which an award is made
 1322 and the cost of each such award shall be recoverable through the
 1323 charge for federally mandated congestion charges. Revenues from
 1324 such awards shall not be included in calculating the electric
 1325 distribution company's earnings for the purpose of determining
 1326 whether its rates are just and reasonable under sections 16-19, 16-19a
 1327 and 16-19e of the general statutes.

1328 (b) Not later than January 31, 2007, and annually thereafter ending
 1329 after January 31, 2011, or ending on such later date specified by the
 1330 department, each electric distribution company shall report to the
 1331 Energy Conservation Management Board on such company's activities
 1332 under this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-1(a)
Sec. 2	<i>from passage</i>	16-1(a)(40) and (41)
Sec. 3	<i>from passage</i>	16-19ss(d)
Sec. 4	<i>from passage</i>	16-244e(a)(6)
Sec. 5	<i>from passage</i>	16-245m
Sec. 6	<i>from passage</i>	16-245n
Sec. 7	<i>July 1, 2005</i>	16-245d(a)
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	New section

Sec. 16	<i>from passage</i>	New section
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>from passage</i>	16-50k(a)
Sec. 19	<i>from passage</i>	New section
Sec. 20	<i>from passage</i>	New section
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>July 1, 2005</i>	16-32f
Sec. 23	<i>July 1, 2005</i>	16-50x(a)
Sec. 24	<i>from passage</i>	16-50i(a)
Sec. 25	<i>July 1, 2005</i>	16-244c(b)(2)(D)
Sec. 26	<i>October 1, 2005</i>	16-244c(j)
Sec. 27	<i>from passage</i>	16-244c
Sec. 28	<i>January 1, 2006</i>	16-245a(a)(2)
Sec. 29	<i>from passage</i>	New section